

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18612 of 2016

Arising Out of PS.Case No. -92 Year- 2014 Thana -KAHAIYA District- MUZAFFARPUR

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Madan Bhagat Son of Ramjee Bhagat, resident of village- Sujawala
Bishunpatti, P.S.- Sahebganj, District- Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. B.K. Sinha, Sr. Advocate
Ms Madhuri Lata, Advocate
For the State : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 10-05-2016 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offences punishable under sections 121, 121(B), 120(B)/414 of the Indian Penal Code, sections 10, 11, 17, 18, 118(A), 19 and 20 of the Unlawful Activities Prevention Act, section 17 of the C.L.A. Act and sections 25(1-B)A, 26/35 of the Arms Act.

It is contended on behalf of the petitioner that neither he has been apprehended on the spot nor has anything incriminating been recovered from his possession, however, he has been made accused on the basis of the so-called confessional statements of the co-accused person who were apprehended from the spot and have been granted regular bail. There has not been any recovery from the house of the

petitioner which was searched in his absence by the police. It is also claimed that the petitioner is having clean antecedent.

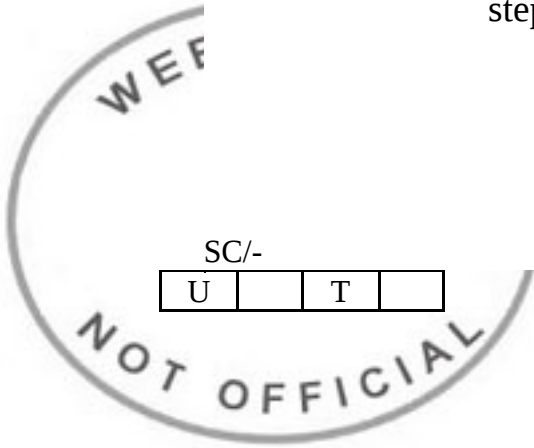
Having regard to the facts and circumstances of the case, let the abovenamed petitioner, namely, Madan Bhagat, be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Kathaiya Police Station Case No. 92 of 2014 on furnishing bail bonds of Rs.10,000/- (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of the Sessions Judge-cum-Special Judge, Muzaffarpur, subject to the conditions laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure with a further condition that one of the bailors of the petitioner must be a close relative or family member of the petitioner who shall file affidavit before the concerned court giving complete genealogy to show his / her relationship with him.

Before accepting the bail bond of the petitioner, the court below would satisfy itself regarding the criminal antecedent of the petitioner. If it is found that the petitioner is having some criminal antecedent then he would be taken into custody.

Further, the petitioner will give undertaking that he will not indulge himself in similar nature of offence,



and if the petitioner is again found involved in similar nature of cases then the concerned court would be at liberty to take steps for cancellation of his bail bonds.



(Dr. Ravi Ranjan, J)